Rejections Under 35 U.S.C. § 102

Within the Office Action, Claims 1-6, 10-13, 16-25, 28, 29, 48-51, 54-58, and 61-63 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,668,863 to Biselin et al. (hereinafter "Biselin"). The Applicants respectfully traverse these rejections.

Biselin teaches a recording and playback mechanism for audio conferences. Within Biselin, a bookmark can be added to the audio conference recording by a user entering a DTMF code via a telephone keypad. In the telephone conversation with Examiner Anwah, the Examiner acknowledged that the Claims 48-63, which are in part directed to an automated process for searching and bookmarking a predetermined content within a voice message, are not anticipated by Biselin. Additionally, Examiner Anwah stated that the Claims 48-63 would be obvious if and when a subsequent search resulted in references that automatically search for content within a voice message and then automatically bookmark the located content within the voice message. Examiner Anwah also commented that any forthcoming Office Action would be non-final.

Independent Claim 48 is directed to an apparatus for marking and accessing bookmarks within a voice message. The apparatus includes a storage media to store the voice message, a processing unit to automatically search for a predetermined content and automatically bookmark located predetermined content within the voice message, and a user interface to access the voice message at the bookmark. As discussed above, Biselin does not teach automating the bookmarking process. For at least these reasons, the independent Claim 48 is allowable over Biselin.

Claims 49-51 and 54 are dependent on independent Claim 48. As stated above, Claim 48 is in a condition for allowance. Accordingly, Claims 49-51 and 54 are also in a condition for allowance.

Independent method 55 is directed to a method of bookmarking a voice message. The method includes automatically searching for a predetermined content within the voice message, locating the predetermined content, and automatically bookmarking the predetermined content at a first bookmark location with a first bookmark. As discussed above, Biselin does not teach automating the entire bookmarking process. For at least these reasons, the independent Claim 55 is allowable over Biselin.

Claims 56-58 and 61-63 are dependent on independent Claim 55. As stated above, Claim 55 is in a condition for allowance. Accordingly, Claims 56-58 and 61-63 are also in a condition for allowance.

<u>Rejections Under 35 U.S.C. § 103</u>

Within the Office Action, Claims 14, 15, 26, 27, 52, 53, 59, and 60 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Biselin in view of U.S. Patent No. 6,199,076 to Logan et al. (hereinafter "Logan"). Claims 52 and 53 are each dependent on the independent Claim 48. Claims 59 and 60 are each dependent on the independent Claim 54. As discussed above, the independent Claims 48 and 54 are each allowable over the teachings of Biselin. Accordingly, the dependent Claims 52, 52, 59, and 60 are each also allowable as being dependent upon an allowable base claim.

For the reasons given above, Applicants respectfully submit that the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

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By:

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